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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Milos LAPCEVIC

Application No.: 10/018,887

Filed: December 26, 2001

For: COLOSTOMY PUMP DEVICE

Art Unit: 3761

Confirmation No.: 8381

Examiner: M. Bogart

Washington, D.C.

Atty.'s Docket: LAPCEVIC=1

Date: April 12, 2004

Customer Window, Mail Stop AF  
 THE COMMISSIONER OF PATENTS AND TRADEMARKS  
 Arlington, VA 22202

Sir:

**RESPONSE UNDER 37 CFR 1.116  
 EXPEDITED PROCEDURE  
 EXAMINING GROUP 3761**

Transmitted herewith is a [XX] REPLY TO FINAL ACTION: REQUEST FOR RECONSIDERATION in the above-identified application.

[ ] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted  
 [ ] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.  
 [XX] No additional fee is required.

The fee has been calculated as shown below:

|   | (Col. 1)<br>CLAIMS<br>REMAINING<br>AFTER<br>AMENDMENT | (Col. 2) | (Col. 2)<br>HIGHEST NO.<br>PREVIOUSLY<br>PAID FOR | (Col. 3)<br>PRESENT<br>EXTRA<br>EQUALS |
|---|---|----------|---|--|
| TOTAL                                     | * 39  | MINUS    | ** 39   | 0                                      |
| INDEP.                                    | * 3   | MINUS    | *** 3   | 0                                      |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM |   |          |   |  |

ADDITIONAL FEE TOTAL \$

| SMALL ENTITY         |                | OTHER THAN SMALL ENTITY |                |
|----------------------|----------------|-------------------------|----------------|
| RATE                 | ADDITIONAL FEE | RATE                    | ADDITIONAL FEE |
| x 9                  | \$             | x 18                    | \$             |
| x 43                 | \$             | x 86                    | \$             |
| + 145                | \$             | + 290                   | \$             |
| ADDITIONAL FEE TOTAL |                | TOTAL                   |                |

\*

If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\*

If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\*

If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[ ] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

## Small Entity

## Response Filed Within

[ ] First - \$ 55.00  
 [ ] Second - \$ 210.00  
 [ ] Third - \$ 475.00  
 [ ] Fourth - \$ 740.00

## Month After Time Period Set

[ ] Less fees (\$ \_\_\_\_\_) already paid for \_\_\_\_\_ month(s) extension of time on \_\_\_\_\_.

## Other Than Small Entity

## Response Filed Within

[ ] First - \$ 110.00  
 [ ] Second - \$ 420.00  
 [ ] Third - \$ 950.00  
 [ ] Fourth - \$ 1,480.00

## Month After Time Period Set

[ ] Please charge my Deposit Account No. 02-4035 in the amount of \$ \_\_\_\_\_.

[ ] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ \_\_\_\_\_.

[ ] A check in the amount of \$ \_\_\_\_\_ is attached (check no. \_\_\_\_\_).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK

Attorneys for Applicant(s)

By:  
 Sheridan Neimark  
 Registration No. 20,520

Facsimile: (202) 737-3528  
 Telephone: (202) 628-5197



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 APR 15 2004  
 TECHNOLOGY CENTER 3700



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

ATTY.'S DOCKET: LAPCEVIC=1

In re Application of: ) Art Unit: 3761  
)  
Milos LAPCEVIC ) Examiner: M. Bogart  
)  
Appln. No.: 10/018,887 ) Washington, D.C.  
)  
Date Filed: December 26, 2001 ) Confirmation No. 8381  
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For: COLOSTOMY PUMP DEVICE ) April 12, 2004

**REPLY TO FINAL ACTION: REQUEST FOR RECONSIDERATION**

U.S. Patent and Trademark Office  
Customer Window, **Mail Stop AF**  
Crystal Plaza Two, Lobby, Room 1B03  
Honorable Commissioner for Patents  
Arlington, Virginia 22202

**RECEIVED**

**APR 15 2004**

Sir:

**TECHNOLOGY CENTER 3700**

Applicant is in receipt of the Final Action mailed March 1, 2004, and applicant respectfully acknowledges the telephone conference on or about April 9, 2004, between undersigned representative of applicant, on behalf of applicant, and Examiner Michael Bogart.

The claims in the application remain as claims 1-3, 8-10, 16, 17, 26, 27, 37-42, 47, 49-51, 53, 57, 58, 70, 76-78 and 80-85, which claims define novel and unobvious subject matter under §§102 and 103, whereby all of applicant's claims should be allowed. Based on the aforementioned telephone conference, applicant believes that the examiner now agrees with applicant's position, whereby the present application